

## REMARKS

Applicants submit this Response in reply to the Official Action dated June 5, 2007.

Applicants submit that the Response is fully responsive for at least the reasons set forth herein.

Applicants would like to thank the Examiner for taking the time to speak with Applicants' representative in a telephone interview on October 2, 2007. During the telephone interview, the cited prior art references were discussed vis-à-vis the limitations recited in the independent claims. Applicants' representative asserted that the cited combination fails to teach, suggest or render obvious each and every limitation of the independent claim. In sum, Applicants' representative stated that Takahashi and Oakley fail to teach a tubular member comprising a first end and a second end, the tubular member defining an inner space extending therethrough and between the first end and the second end, the optical system support member being hermetically joined to the first end and the imaging element support member being hermetically joined to the second end thereby airtightly sealing the inner space, the tubular member further comprising a bellows portion between said first and second ends adapted for three dimensional movement, as recited in Claim 18.

Notably, Oakley only teaches that the bellows portion is configured to allow for rotation. Additionally, Applicants' representative noted that the three dimensional motion in Oakley is provided for by the design of the inner portion of the connector. The connector includes a plurality of concatenated bendable sections, which allows the motion. The Examiner agreed and stated that the current rejection will be withdrawn and a new search will be conducted.

Accordingly, Applicants submit that all of the pending claims are patentably distinct from the cited combination: Takahashi (previously cited) in view of Oakley et al., U.S. Patent No.

5,413,107 (hereinafter “Oakley”) and MacKinnon for at least the reasons set forth above and discussed during the telephone interview.

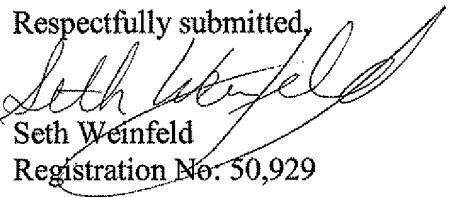
Applicants further note that Takahashi fails to teach a tubular member connecting the optical system and imaging system and that the connections are hermetically sealed. The Examiner asserts that the optical system supporting member is the optical system driving means 78 and the imaging element supporting member is the CCD driving means 16. *Pro arguendo*, even if the Examiner’s assertion is correct, elements 16 and 78 are not hermetically joined to an end of the tubular member. In Takahashi, Figure 10 depicts a tubular member surrounding the optical system. At best, the figure depicts that the optical system is fixed to the tubular member. However, the imaging system (2a and 2b) is not attached to the tubular member. Figure 10 does not even depict elements 16 and 78. Therefore, Takahashi does not teach that the optical system support member is hermetically joined to the first end and the imaging element support member is hermetically joined to the second end. Furthermore, Figure 10 does not depict any structure that is capable of keeping airtightness. Moreover, Takahashi does not teach or suggest connecting the imaging section to the optical section. Figure 10 clearly illustrates that the imaging section and the optical section are not connected. Accordingly, Takahashi fails to teach the claimed tubular member (claimed configuration).

Based upon the foregoing, Applicants respectfully request that the Examiner withdraw the rejections of Claims 18-20, 22-35 pursuant to 35 U.S.C. § 103 (a).

In conclusion, the Applicants believe that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the

Applicants respectfully request that the Examiner call the undersigned, Applicants' attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

  
Seth Weinfeld

Registration No. 50,929

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

SW:ae